

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-04174B
Date Received: 7/ 2/1990
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: FIRSTFRUITS FOUNDATION 208-879-2729
Address: PO BOX 1190
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1876

3. Source: DAUGHTERY SPRING Trib. to: GARDEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	18E	3	NE	SW			CUSTER
			NW	SE		R	CUSTER

5. Description of diverting works:
ORIGINALLY A DITCH; NOW A PIPE IN A MINE TUNNEL TO THE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	04/01	11/01	0.010		

7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/UNSPECIFIED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	18E	2	NW	NE		IRR	4.0
			NE	NW		IRR	14.0

MICROFILMED
NOV 01 1994

10. Place of Use: Continued

Section Acres 18.0

Total Acres 18.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A72-00106B, 00109C, 10486

14. Remarks:

OWNERSHIP CHANGE 5/24/91 BY AA.

CLAIM SPLIT ON A 3/15 12/15 RATIO. BASED UPON DISCUSSION WITH
CHRISTOPHER JAMES ON 8-15-94. KKC

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
NOV 01 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 11, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Harry and Beth Chandler
77 Kirk Dr.
Boise, ID 83716

RE: Snake River Basin Adjudication (SRBA)
Water Right #72-04174B

Dear Water Right Holders:

We have been advised you may be the current owners of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use.

Please send the completed form with warranty deed copy and map to our Twin Falls Office by February 15, 2000. Your County Assessor's office can provide you with a plat map if you do not have one.

Idaho Department of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
208/736-3033

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

cc: Form 42-248/42-1409(6)
Former Owner

NOTE TO FILE:
The A record showed Bob Compton as owner code
"C". It should have been "R" for representative.
The Blank record correctly lists Bob as a Representative.
I corrected the A record this date
KKC
1-20-00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Bob Compton
P.O. Box 40
Midvale, ID 83645-0040

*I sold to the Chandlers
(SEE BELOW)*

RECEIVED

JAN 07 2000

Re: Snake River Basin Adjudication (SRBA)
Water Right #72-04174B

Department of Water Resources

Dear Water Right Holder:

*record NOT changed.
- 1-10-2k*

We have been advised the address for you presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by January 14, 2000. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right records.

★ NEW Owner
Harry and BETH CHANDLER
77, Kirk DRIVE
Boise, IDAHO 83716
338-6522

SS:region

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

CHANGE OF OWNERSHIP
LETTER SENT *1-10-2k*

return
to sender

fee due 50¢

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

U.S. POSTAL SERVICE
PS FORM 3547

ADDRESS SERVICE
REQUESTED



COMP033* 837162015 1898 09 02/01/99
COMPTON FORM 3547
PO BOX 40
MIDVALE ID 83645-0640

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St.

P.O. Box 83720

Boise, ID 83720-0098

(208) 327-7900

TO

BOB COMPTON

HC, 33 BOX 1175

BOISE ID 83706

U.S. POSTAL SERVICE
PS FORM 3547

A72-04174B

RECEIVED

(see instructions on back of page)

JUN 09 1994

Department of Water Resources

5 + Southern Region Office

Section 2, 1/4 of 1/4 of 1/4, Cont Lot 223, BM.

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) Assigned by IDWR: A72-04174
A72, 00109C, A72-10486, A72-16274
- [] Name and Address of Former Owner/Claimant(s)(Seller): Christopher W. JAMES Trust UDT 2/9/79
Christopher W. JAMES & DEBRA E JAMES, co trustees
Box 1190, Challis, ID 83226
- [] New Owner/Claimant (Purchaser): FirstFruits Foundation UDT 9/29/86
- [] New Mailing Address: PO Box 1190
Challis, ID 83226
- [] New Telephone Number: (208) 879-2729
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
A72-00109C transfer .30, retain balance
A72-10486 transfer .20, retain .30
A72-16274 transfer att. [initials] adjudicated according to
unadjudicated place of use
as discussed 8/13/94 [initials]

- [] Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- [] Signature of New Owner/Claimant(s) Christopher W. James, co tt. Date 6/8/94
Debra E. James, co tt. Date 6/8/94
- [] Signature of Former Owner/Claimant(s): Christopher W. James, co tt. Date 6/8/94
Debra E. James, co tt. Date 6/8/94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

6/8/94
MICROFILMED
NOV 01 1994

Claim Numbers of Split, if any:

**Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner**

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED
NOV 1 1981

Water Right Number - R72-04174C

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FIRSTFRUITS FOUNDATION1 - PO BOX 1190
2 -
3 -
City- CHALLIS State- ID Zip- 83226
Phone - 208-879-2729*** O - ORIGINAL OWNER ***
US DEPT OF AGRICULTURE1 - FARMERS HOME ADMINISTRATION
2 - % ROGER HILL
3 - PO BOX 1189
City- SALMON State- ID Zip- 83467
Phone - 208-756-4417*** R - REPRESENTATIVE ***
COMPTON

BOB

1 - HC 33 BOX 1175
2 -
3 -
City- BOISE State- ID Zip- 83706
Phone - 208-343-4321+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/20/1914 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED STREAM GARDEN CREEK
GROUNDWATER UNNAMED STREAM

Tw	Rng	Sec	Tract	Lot	RFlg	County
13N	18E	3	NW NE SW		(37)	CUSTER
			SE NW SE		(37)	CUSTER
			NW NE SW	I	(37)	CUSTER
			SE NW SE	R	(37)	CUSTER

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	0.370	
04 - STOCKWATER		04/01	10/31	0.010	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.370 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	18E	2	NW NE	2	0.2	01	IRRIGATION	(37) CUSTER
13N	18E	2	NE NW	3	9.0	01	IRRIGATION	(37) CUSTER
13N	18E	2	NW NE	2		04	STOCKWATER	(37) CUSTER
13N	18E	2	NE NW	3		04	STOCKWATER	(37) CUSTER

Total Acres: 9.2

Water right number - R72-04174C

Prefix Translation: RESEARCH

+ - - Diversion Means - DITCH FROM UNNAMED STREAM

+ - - Non-Irrigation Use - STOCKWATER, 40 HEAD RANGE CATTLE AND 6 HORSES.

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 13.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106J, 72-00109J, 72-04174C, & 72-10486C

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE. 72-04174A, 72-04174C, AND 72-04174D.

+ - - - - Old Water Right Numbers - - - - - +

A7204174B

+ - - - - Conditions of Approval - - - - - +

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.
C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 01/31/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE 5/24/91 BY AA.

Date: 08/19/1994 User Id: KCHRISTE Subject: BASIS OF SPLIT DONE ON 8-19-92
THE ORIGINAL CLAIM WAS SPLIT INTO PARTS A FOR 3/15THS OF THE FOUND P/U FOR CHRISTOPHER JAMES TRUST AND THIS PORTION FOR 12/15
FOR FIRSTFRUITS FOUNDATION. SPLIT BASED UPON A CONVERSATION WITH CHRISTOPHER JAMES ON 8-15-94. KKC

Date: 11/22/1996 User Id: KCHRISTE Subject: ADDITION OF PERSONAL REPRESENTATIVE
BASED UPON A LETTER DATED 11-19-96 FROM CHRISTOPHER JAMES BOB COMPTON WAS ADDED TO THE CLAIM.

Date: 11/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Date: 02/24/2000 User Id: KCHRISTE Subject: SPLIT MODIFIED PER BLM
FRED PRICE REQUESTED THE 0.3 ACRES IN SEC 2 SENW BE MOVED TO BLM

+ - - Audit Fields - - +

02/24/00 KCHRISTE

Water right number - R72-04174C

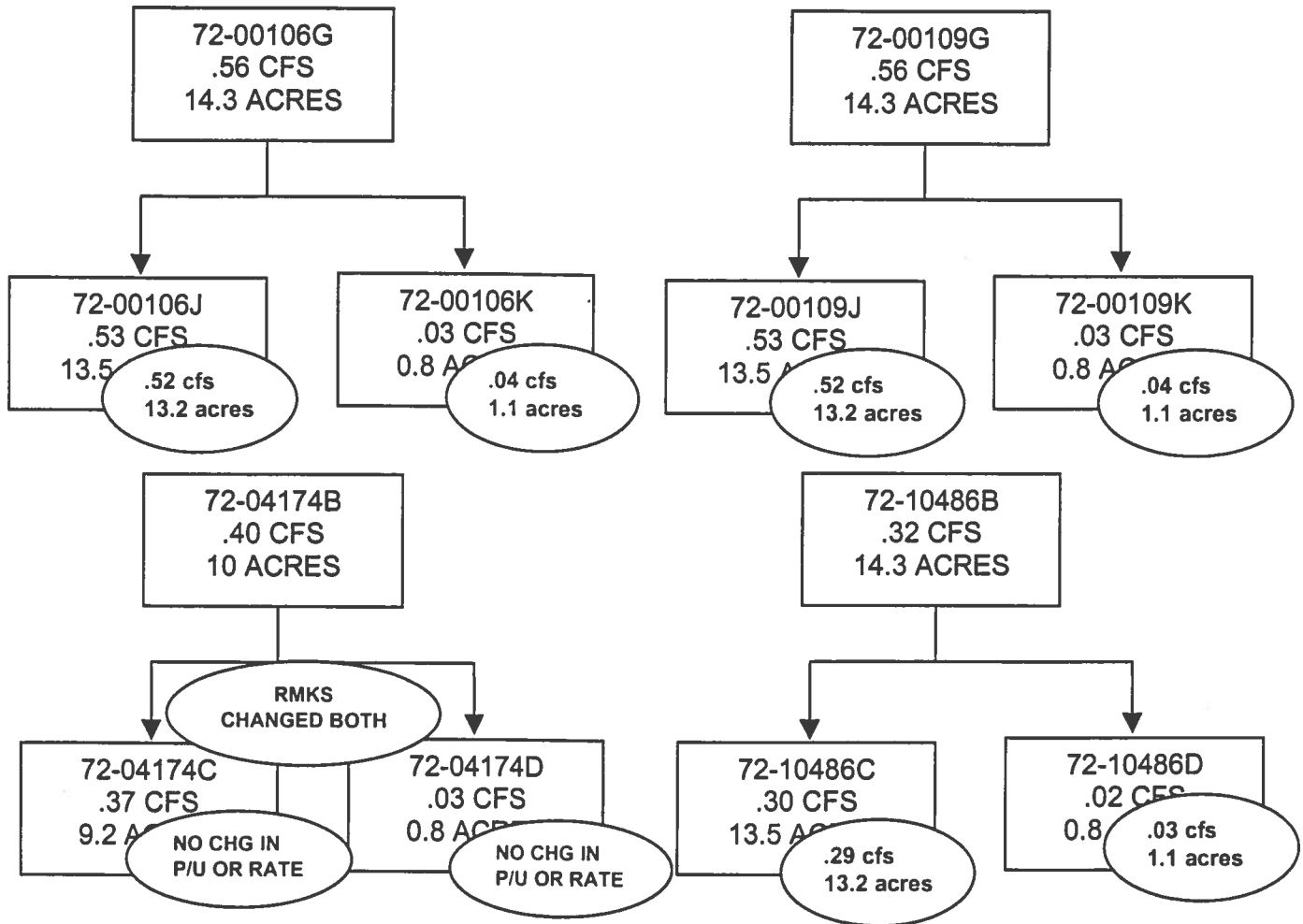
Prefix Translation: RESEARCH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 01/29/1999	Field Inspection Made	- 06/15/1993	Civil Case Number	- 39576
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 728
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

I BELIEVE THAT I HAVE CREATED THE FOLLOWING CLAIMS AND HAVE COMPLETED THE DATA ENTRY FOR EACH ONE OF THEM. I HAVE MADE DATA ENTRIES AND I DON'T THINK THAT I MISSED ANYTHING. I AM CHANGING THE ACRE TRACT ACCORDING TO THE FIRST FRUITS CLAIMS. I HAVE NOT LEGALIZED THE SWEETWATER CLAIMS. I HAVE NOT UPLOADED ANYTHING AND IF YOU NEED LAYOUTS TOMORROW LET ME KNOW. I WILL DO THE JOB.

ANALYSIS MODIFIED 2-24-2000 KKC



Per Kent Foster I left the 0.3 acre overlap on First Fruits claims. Kent indicated that he would contact BLM and get a letter of agreement drafted for the hearing. The agreement will essentially state that the BLM agrees to let the 0.3 acres stay on the claim subject to a transfer to be submitted by first fruits. Let me know if I missed anything.

Kkc

February 11, 2000

FILE: 72-00106g etal splits first fruits sf5 issues

FRED PRICE REQUEST TO ADD THE 0.3 ACRES FROM SEC 2 SENW TO THE BLM CLAIM REQUEST DATE 2-24-2000. Modifications Shown in red inside the ovals at each split.

Christensen, Kelly

From: Christensen, Kelly
Sent: Thursday, February 24, 2000 6:01 PM
To: Spencer, Nick
Cc: Kelly, Vicki
Subject: BLM CHANGES MIND FOR CHRISTOPHER JAMES OBJECTION

Importance: High

Fred Price requested that the 0.3 acres in Sec 2 SENW be included in the BLM split portion. The transfer will apparently be made from the BLM claims at a later date. I agreed to do the splits and recalculate the rates. ALL CHANGED. Although 72-04174C and D did not include the 0.3 acres the remarks in each claim had to be changed so that the correct acres showed up in the remarks section. Once again I think that I have completed all required data entry changes according to the modified split tree shown in the attachment. The 8 claims should go through backup tonight and be ready for printing tomorrow.

If you have any questions please give me a holler.



72-00106g etal splits
first fr...

claims involved are';

72-00106J
72-00106K
72-00109J
72-00109K
72-04174C
72-04174D
72-10486C
72-10486D

Kelly K Christensen

Water Right Number - R72-04174C

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

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GROUNDWATER UNNAMED STREAM

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			SE NW SE	R	(37)	CUSTER

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
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+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.370 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
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13N	18E	2	NE NW	3	9.0	01	IRRIGATION	(37) CUSTER
13N	18E	2	NW NE	2		04	STOCKWATER	(37) CUSTER
13N	18E	2	NE NW	3		D4	STOCKWATER	(37) CUSTER

Total Acres: 9.2

Water right number - R72-04174C

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+ - - - - - Remarks - - - - - +

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A COMBINED TOTAL OF 13.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106J, 72-00109J, 72-04174C, & 72-10486C

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE. 72-04174A, 72-04174C, AND 72-04174D.

+ - - - - - Old Water Right Numbers - - - - - +

A7204174B

+ - - - - - Conditions of Approval - - - - - +

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+ - - - Decree Defendant - - - +

+ - Decree Date - +
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+ - - - - - Comments - - - - - +

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Date: 11/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

+ - - Audit Fields - - +

02/10/00 KCHRISTE

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 01/29/1999	Field Inspection Made	- 06/15/1993	Civil Case Number	- 39576
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

02/10/00 17:49:06
Page 3

Water right number - R72-04174C

Prefix Translation: RESEARCH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Claim Received Date	- 07/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 72B
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

CLAIM NUMBER 72-00106J DATE 2-11-00
72-04174C 00109J AGENT KKC
10486C

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL _____
GIS ACRE TOTAL _____

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM																			
GIS	13N	18E	2		.2			13			.3								13
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

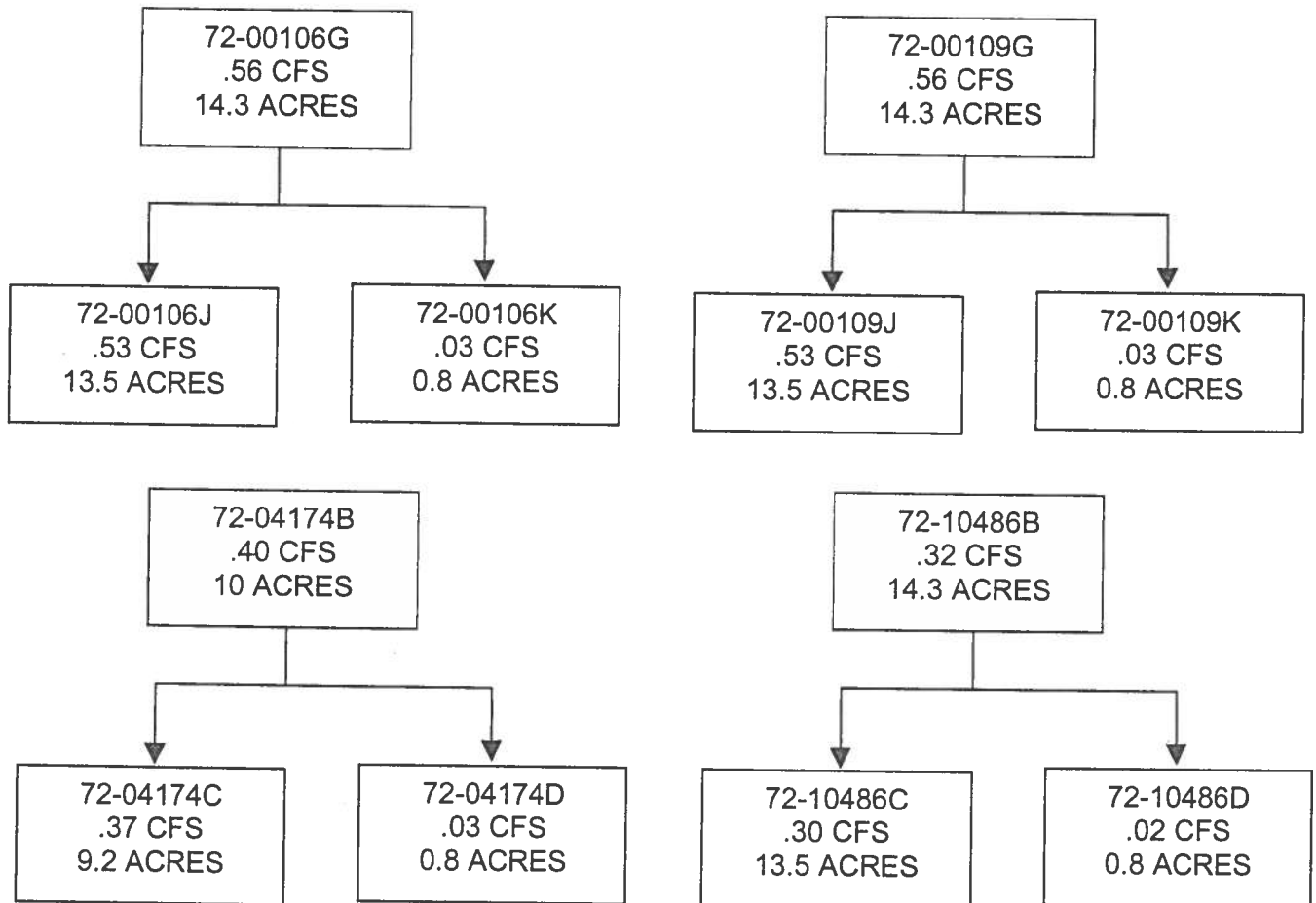
B72-DBPOU.SHP } 72-00106G } these claims were split based upon a SFS
SHAPE NOS. ^{SPLIT} 345 } 00109G } agreement between Christopher James and
344 510 } 10486B } the BLM.
346 (511(BLM)) } 04174B }

B72-DBPOD.SHP
NOS. DESCRIPTION
138 Sec 2 SWNE NW shape represents the 0.8 Ac. on BLM Ground.
205 Sec 3 SENE SE The 0.30 ac in SENW ~~area~~ is on BLM Ground but
has been left on this claim subject to a pending transfer
by James. As I understand it, this is part of the
206 Sec 3 SE NW SE settlement agreement between the two parties.
207 Sec 3 NW NE SW
P/D # 138, there was a data entry error on the 10 ac tract. cl

DBF TABLES UPDATED changed it from the SE to the SW.
B72-DBPOU.DBF ✓ The PD # 138 & 205 are Garden City divisions for 72-00106J
B72-DBPOD.DBF ✓ The PD # 206 & 207 are for 72-04174C 00109J
PEG LAYOUT ✓ 10486C

D:\Data\B72\objection settlement Response
72-00106J - ~~BEL~~ JAMES - SFS layout.

I BELIEVE THAT I HAVE CREATED THE FOLLOWING CLAIMS AND HAVE COMPLETED THE DATA ENTRY FOR EACH ONE OF THEM. I REVIEWED MY DATA ENTRIES AND I DON'T THINK THAT I MISSED ANYTHING. I DID CHANGE THE 10 ACRE TRACT ACCORDING TO ALAN BITTNER'S NOTATION THAT THE SEC 2 LEGAL SHOULD READ SWNENW. I CONFIRMED THAT WITH GIS. I HAVE not UPDATED ANYTHING IN ARCVIEW. IF YOU NEED LAYOUTS TOMORROW LET ME KNOW AND I WILL RUSH THE JOB.



Per Kent Foster I left the 0.3 acre overlap on First Fruits claims. Kent indicated that he would contact blm and get a letter of agreement drafted for the hearing. The agreement will essentially state that the blm agrees to let the 0.3 acres stay on the claim subject to a transfer to be submitted by first fruits.

Let me know if I missed anything.

Kkc

February 11, 2000

FILE: 72-00106g etal splits first fruits sf5 issues

Christensen, Kelly

From: Alan_Bittner@blm.gov
Sent: Wednesday, February 09, 2000 5:58 PM
To: kfooster@holdenlegal.com; kchrise@idwr.state.id.us
Cc: Fred_Price@blm.gov; l2brown@micron.net
Subject: Firstfruits Foundation



pic26005.pcx



7210486D.wpd



7200106K.wpd



7200109J.wpd



7200109K.wpd



7204174C.wpd



7204174D.wpd



7210486C.wpd



7200106J.wpd

Alan Bittner (Embedded image moved to file:

pic26005.pcx)

From: Alan Bittner@BLM on 02/09/2000 05:58 PM

To: kfooster@holdenlegal.com, kchrise@idwr.state.id.us
cc: Fred Price/IDSO/ID/BLM/DOI@BLM, l2brown@micron.net@BLM
Subject: Firstfruits Foundation

Kent and Kelly,

I'am attaching the split water rights for the following claims:

72-00106G split into J + K

72-00109G split into J + K

72-04174B split into C + D

72-10486B split into C + D

They are all WorkPerfect version 9 documents. If this doesn't work, I can fax them.

I only changed the legal descriptions for the POU's and adjusted the total acres. Stockwater was total removed from the BLM portion of claim 72-04174B (D).

Kelly, we need the "combined total acre" language (under the POU) adjusted on each claim.

POD's:

The only legal description that I question is the POD in T13N R18E S2 Lot 3 (SE NENW). According to IDWR's GIS data layer this POD (#138), shows up in the SW NENW (still Lot 3). It is on 72-00106G, 72-00109G and 72-10486B.

The other Garden Crk POD (#205), was never visited and I assume is correct.

The POD's (#206 and 207) (on BLM) coming from Daughtery Gulch and the old mine shaft, I GPS'ed and they are correct.

Please forward your adjusted documents to myself and Fred Price for review. Fred will get the final documents to Larry Brown and each of you for signatures.

alan

(See attached file: 7210486D.wpd)(See attached file: 7200106K.wpd)(See attached file: 7200109J.wpd)(See attached file: 7200109K.wpd)(See attached file:

7204174C.wpd)(See attached file: 7204174D.wpd)(See attached file: 7210486C.wpd)
(See attached file: 7200106J.wpd)

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHTS FROM: SOURCE: GROUNDWATER TRIBUTARY: UNNAMED STREAM

RIGHT NUMBER: 72-04174B C

NAME & ADDRESS: FIRSTFRUITS FOUNDATION
PO BOX 1190
CHALLIS ID 83226

SOURCE: UNNAMED STREAM TRIBUTARY: GARDEN CREEK
GROUNDWATER UNNAMED STREAM

QUANTITY: 0.4 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/20/1914

POINT OF DIVERSION: T13N R18E S03 NWNESE Within CUSTER County
SENWSE
NWNESE (INJECTION)
SENWSE (REDIVERSION)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.4 CFS
	STOCKWATER	04-01 10-31	0.01 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T13N R18E S02 Lot 2 (NWNE) 0.2 Lot 3 (NENW) 9
~~T14N R18E S35~~ ~~SESW~~ 0.8
10 9.2 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 7.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00106G, 72-00109G,
72-04174B, & 72-10486B

STOCKWATER	Within CUSTER County
T13N R18E S02 Lot 2 (NWNE)	Lot 3 (NENW)
~~T14N R18E S35~~ ~~SESW~~	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
-----------------	--------

NONE

NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED
SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE
ADMINISTERED CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RIGHT NO. 72-04174A IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.

KC

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 72-04174B

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Firstfruits Foundation

Address: PO Box 1190 Challis, ID 83226

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: See attached
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: See attached
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant does not have a valid water right with the elements claimed.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

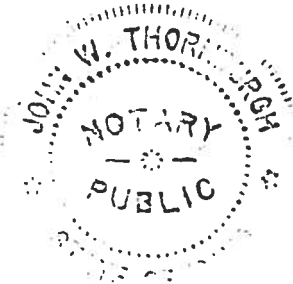
Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

Carrie A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999



John W. Thornburgh

John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

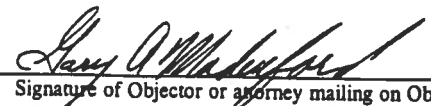
Name: Firstfruits Foundation
Address: PO Box 1190 Challis, ID 83226
Name:
Address:
Name:
Address:
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-480

RIGHTS FROM: SOURCE: GROUNDWATER TRIBUTARY: UNNAMED STREAM

RIGHT NUMBER: 72-04174B

NAME & ADDRESS: FIRSTFRUITS FOUNDATION
PO BOX 1190
CHALLIS ID 83226

SOURCE: UNNAMED STREAM TRIBUTARY: GARDEN CREEK
GROUNDWATER UNNAMED STREAM

QUANTITY: 0.4 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/20/1914

POINT OF DIVERSION: T13N R18E S03 NWNESEW BLM
SENWSE BLM
NWNESEW (INJECTION) BLM
SENWSE (REDIVERSION) BLM Within CUSTER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	0.4 CFS
STOCKWATER	04-01 10-31	0.01 CFS

PLACE OF USE: IRRIGATION PUT
T13N R18E S02 Lot 2 (NWNE) 0.2 Lot 3 (NENW) 9 PUT
T14N R18E S35 SESEW 0.8 BLM
10 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 7.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106G, 72-00109G, 72-04174B, & 72-10486B

STOCKWATER Within CUSTER County
T13N R18E S02 Lot 2 (NWNE) PUT Lot 3 (NENW) PUT
T14N R18E S35 SESEW BLM → LIVESTOCK GRAZING NOT AUTHORIZED

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

POD - No auth
POU - 101-294114
Chris James
LUP auth.
Sec. 2 and 35

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JAN-26-1999
PAGE: A-481

RIGHTS FROM: SOURCE: GROUNDWATER TRIBUTARY: UNNAMED STREAM

RIGHT NUMBER: 72-04174B (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RIGHT NO. 72-04174A IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

December 15, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**CHRISTOPHER JAMES
PO BOX 1190
CHALLIS ID 83226**

**RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS HELD BY
CHRISTOPHER JAMES TRUST AND FIRSTFRUITS FOUNDATION**

Dear Christopher .

I have enclosed two transfer forms with attachments for your use. If you have any questions concerning those forms please contact this office and ask for an allocations agent. I have also enclosed GIS layouts of your property showing the current recommendations. You can use that map to identify the areas being dried up and the new place of use.

I have also enclosed a change of ownership form and a profile report for the 'Dewey' claim. If you have any questions concerning this claim please contact me. A layout is also included for this property as you indicated that it was probably to be included in the transfer process.

Good luck in the paper trail concerning your developments on your property.

Sincerely

Kelly K Christensen
Senior Water Resource Agent
Enclosures

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/09/98 12:01:06
Page 1

Water Right Number - R72-04174B

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

FIRSTFRUITS FOUNDATION

1 - PO BOX 1190

2 -

3 -

City- CHALLIS

State- ID Zip- 83226

Phone - 208-879-2729

VERIFIED BY *KAC*
11-9-98

*** O - ORIGINAL OWNER ***

US DEPT OF AGRICULTURE

1 - FARMERS HOME ADMINISTRATION

2 - % ROGER HILL

3 - PO BOX 1189

City- SALMON

State- ID Zip- 83467

Phone - 208-756-4417

*** R - REPRESENTATIVE ***

COMPTON

BOB

1 - HC 33 BOX 1175

2 -

3 -

City- BOISE

State- ID Zip- 83706

Phone - 208-343-4321

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/20/1914 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
UNNAMED STREAM GARDEN CREEK
GROUNDWATER UNNAMED STREAM

Point of Diversion						
Twn	Rng	Sec	Tract	Lot	RFlg	County
13N	18E	3	NW NE SW	<i>207</i>		(37) CUSTER
			SE NW SE	<i>206</i>	(37) CUSTER	
			NW NE SW	I	(37) CUSTER	
			SE NW SE	R	(37) CUSTER	

Water Use		Diversion Rate		Diversion Volume
Code	Description	Period From	Period To	
01 - IRRIGATION		04/15	10/15	0.400
04 - STOCKWATER		04/15	10/15	0.010

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.400 0.0

Place of Use							
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description
13N	18E	2	NW NE	2	0.2	01	IRRIGATION
13N	18E	2	NE NW	3	9.0	01	IRRIGATION
14N	18E	35	SE SW		0.8	01	IRRIGATION
13N	18E	2	NW NE	2		04	STOCKWATER
13N	18E	2	NE NW	3		04	STOCKWATER
14N	18E	35	SE SW			04	STOCKWATER

total 10 acres

344
345

Water right number - R72-04174B

Prefix Translation: RESEARCH

+ - - Diversion Means - DITCH FROM UNNAMED STREAM

+ - - Non-Irrigation Use - STOCKWATER, 40 HEAD RANGE CATTLE AND 6 HORSES.

+ - - Other Rights for Same Use - 72-00106G, 72-00109G, & 72-10486B

+ - - - - - Remarks - - - - -

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 7.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106G, 72-00109G, 72-04174B, & 72-10486B

EXP RIGHT NO. 72-04174A IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 08/19/94 KCHRISTE 08/24/94 KCHRISTE 03/30/95 POST-STD 11/22/96 KCHRISTE 10/29/98 KCHRISTE

+ - - - - - Comments - - - - -

Date: 01/31/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE 5/24/91 BY AA.

Date: 08/19/1994 User Id: KCHRISTE Subject: BASIS OF SPLIT DONE ON 8-19-92

THE ORIGINAL CLAIM WAS SPLIT INTO PARTS A FOR 3/15THS OF THE FOUND P/U FOR CHRISTOPHER JAMES TRUST AND THIS PORTION FOR 12/15
FOR FIRSTFRUITS FOUNDATION. SPLIT BASED UPON A CONVERSATION WITH CHRISTOPHER JAMES ON 8-15-94. KKC

Date: 11/22/1996 User Id: KCHRISTE Subject: ADDITION OF PERSONAL REPRESENTATIVE

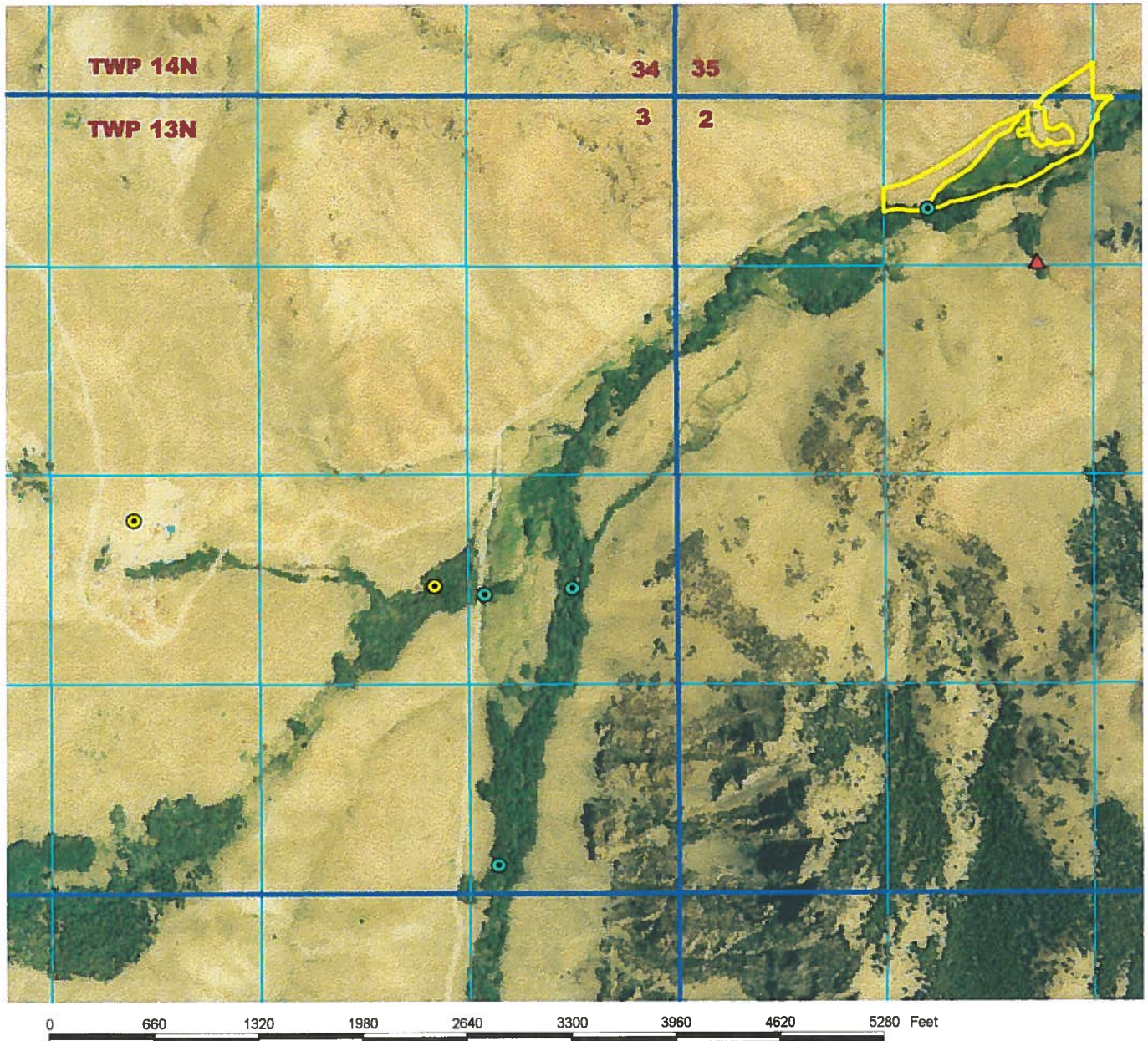
BASED UPON A LETTER DATED 11-19-96 FROM CHRISTOPHER JAMES BOB COMPTON WAS ADDED TO THE CLAIM.

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 72B
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

72-04174B

SOURCE = UNNAMED STREAM - GROUNDWATER



RECOMMENDED PLACE OF USE
TWP 13N RNG 18E, SEC 35
TWP 13N RNG 18E, SEC 2
data entry on October 29, 1998



- **RECOMMENDED POINT OF DIVERSION**
- **RECOMMENDED PLACE OF USE**
- **SECTION LINES**
- **QUARTER/QUARTER LINES**

GIS PLACE OF USE PRESENTATION
1992 USDA-F AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

CLAIM NUMBER

72-04174B *unnamed stream*

DATE 10-29-98

AGENT KKC

TRANSFER NUMBER

CLAIMED ACRE TOTAL 18

GIS ACRE TOTAL 10

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	13N	18E	2		4			14												18
GIS					.2			9												9.2
RECOM																				
CLAIM	14N	18E	35												.8					
GIS															.8					
RECOM															.8					.8
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP

SHAPE NOS. 4174B only
344 Unroad in 2 polygons
345 - OL with Garden G. claims one has a P/A overlap with 001066 et al.

B72-DBPOD.SHP

NOS. DESCRIPTION
206 Sec 3
SENWSE unnamed stream
207 Sec 3
NWNE SW mine portal
Sec 3 NWNE SW point of injection
Sec 3 SENWSE point of redirection
same points
no combination required
72-04174A .10 CFS
72-04174B .40 CFS
150 CFS
Rec

DBF TABLES UPDATED

B72-DBPOU.DBF ✓
B72-DBPOD.DBF ✓
JPEG LAYOUT ✓
claimed rate Soils meas.
140 (on) 1.34 144 (not at cap)
Rate of .40
55 est cap.

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-041748

DATE: 10-29, 1998

REVIEWED BY KKC

CHALLIS AREA SOIL REVIEW											
SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION		SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA		PAST	ALFA	PAST	ALFA
ATC	.15	.13			6.49	7.62	PD2	.11	.12		
BB1	.09	.09			6.09	6.17	Q	.26	.21		
BC1	.16	.17			5.82	5.46	RE2	.29	.21		
BK1	.07	.06			10.62	11.86	RP1	.19	.21		
BT1	.18	.16			3.99	4.19	SH1	.06	.05		
BT2	.41	.32			2.34	2.87	SOC	.08	.07		
CB1	.06	.06			11.55	13.47	SSA	.15	.14		
CHA	.21	.21			4.52	4.76	SXF	.12	.11		
CP1	.36	.36			2.61	2.78	TC1	.06	.06		
DAF	.18	.15			5.33	7.27	TD1	.04	.03		
DB1	.13	.11			5.66	6.65	WB2	.13	.13		
DBB	.13	.11			5.71	6.69					
DBC	.13	.11			5.71	6.69	WAA	.19	.16		
DMF	.18	.21			5.12	4.72	WBB	.17	.14		
DRF	.18	.19			9.08	9.68	WC1	.07	.06		
DT2	.05	.04			12.46	16.50	WPT	.19	.15		
DWA	.14	.14			4.79	5.01	WV1	.07	.06		
G01	.10	.12			12.47	10.51	XHS				
KEG	.08	.07			8.73	10.06	YN1	.18	.14		
MBF	.15	.12			7.65	5.81					
MUG	.15	.14			4.54	4.98					
NDL	.13	.12			5.30	6.06					

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
CP1	2.61	7	10	.36	1.34 CFS
					CFS
					CFS
					CFS

TOTAL ACRES _____

DECREED RATE = _____

CLAIMED DIVERSION RATE = _____

MEASURED DIVERSION RATE = _____

November 19, 1996

RECEIVED

NOV 21 1996

Kelly Christensen
Department of Water Resources
222 Shoshone St. E.
Twin Falls, ID 83226

Department of Water Resources
Boise, Idaho

Re: Firstfruits Foundation Water Right R72-04174B &
Christopher James Trust Water Right R-72 - 04174A
Known as the Dougherty Springs Water Right.

Dear Kelly:

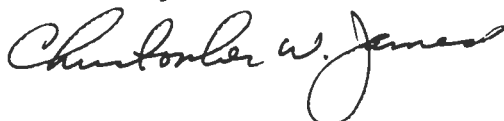
The reason I am writing is to let you know that I am giving authority to Dr. Bob Compton to investigate the requirements to convert the Dougherty Spring water rights into commercial use for both the Christopher W. James Trust & Firstfruits Foundation. This letter empowers Bob Compton to act for both trusts.

Bob has been a good friend for 5 1/2 years and has been an advisor for Firstfruits Foundation for 1 1/2 years.

In the near future expect Bob to call for some help. I believe you will find him bright and especially a delight to work with.

And for my record could you please send me copies of the water rights for the Christopher W. James Trust & Firstfruits Foundation. You'd better send copies to Bob, too. Thank You.

Yours Sincerely,



Christopher W. James, Trustee of
Christopher W. James Trust
Firstfruits Foundation

cc: Dr. Bob Compton
H.C. 33, Box 1175
Boise, ID 83706
Phone: 208-343-4321
FAX: 208-331-2610



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 22, 1996

CHRISTOPHER JAMES
PO BOX 1190
CHALLIS ID 83226

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS A72-04174A AND A72-04174B

Dear Christopher

I have enclosed profile reports for the two claims that you requested. The reports reflect information from my field verification of your system.

Although your letter is sufficient to identify Dr. Bob Compton as a personal representative with limited power to act on your behalf, it appears that you intend for Bob to handle and sign the necessary documents required to change the nature of use of the Daughtery Spring water rights. I have enclosed a POWER OF ATTORNEY form that grants him that authority. If you do intend for Bob to have the authority to complete and sign documents for you, please complete the POWER OF ATTORNEY form and return it to this office. The POWER OF ATTORNEY is not necessary for initial conversations concerning the requirements to meet your needs.

I am willing to assist in whatever way is necessary, however, Bob may want to visit IDWR in Boise to personally discuss generalities concerning water right changes. He could receive assistance from either the Western Region office at 2735 Airport Way (334-2190) or the State office at 1301 N Orchard St (327-7900).

I have also mailed this information to Bob.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST
TWIN FALLS ID 83301
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 22, 1996

DR. BOB COMPTON
HC 33 BOX 1175
BOISE ID 83706

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS A72-04174A AND A72-04174B

Dear Bob

I have enclosed profile reports for the two claims that Christopher requested. The reports reflect information from my field verification of his system.

I am willing to assist in whatever way is necessary, however, you may want to visit IDWR in Boise to personally discuss generalities concerning water right changes. You can receive assistance from either the Western Region office at 2735 Airport Way (334-2190) or the State office at 1301 N Orchard St (327-7900).

I have also mailed this information to Christopher James.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



R PROOF

CVR

MAPS

PHOTOS

MISC

Water Right Number - R72-04174B

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - -

*** C - CURRENT OWNER ***
FIRSTFRUITS FOUNDATION

1 - PO BOX 1190
2 -
3 -
City- CHALLIS
Phone - 208-879-2729

VERIFIED BY KKC

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
U.S. DEPT. OF AGRICULTURE

1 - FARMERS HOME ADMINISTRATION
2 - % ROGER HILL
3 - P.O. BOX 1189
City- SALMON
Phone - 208-756-4417

State- ID Zip- 83467

MC GARY

LAWRENCE

1 -
2 -
3 -
City- KETCHUM
Phone - 208-000-0000

State- ID Zip- 83340

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/20/1914 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED STREAM GARDEN CREEK
GROUNDWATER UNNAMED STREAM

+ - - - - Point of Diversion - - - - - +						
TwN	Rng	Sec	Tract	Lot	RFlg	County
13N	18E	3	NW NE SW		(37)	CUSTER
			SE NW SE		(37)	CUSTER
			NW NE SW	I	(37)	CUSTER
			SE NW SE	R	(37)	CUSTER

+ - - - - Water Use - - - - - +					
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15	0.400	
04 - STOCKWATER		04/15	10/15	0.010	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.400 0.0

+ - - - - Place of Use - - - - - +									
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
13N	18E	2	NW NE	2	1.0	01	IRRIGATION	(37) CUSTER	
13N	18E	2	NE NW	3	11.0	01	IRRIGATION	(37) CUSTER	

Total Acres: 12.0

MICROFILMED
NOV 01 1994

Prefix Translation: RESEARCH

+ - - Diversion Means - DITCH FROM UNNAMED STREAM

+ - - Non-Irrigation Use - STOCKWATER, 40 HEAD RANGE CATTLE AND 6 HORSES.

+ - - Other Rights for Same Use - 72-00106G, 72-00109G, & 72-10486B

+ Remarks

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 47.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 19 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00106G, 72-00109G, & 72-10486B.

RIGHT NO. 72-04174A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

+ Old Water Right Numbers +

No Old Water Right Numbers Found

+ Conditions of Approval +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

+ - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +

Date: 01/31/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE 5/24/91 BY AA.

Date: 08/19/1994 User Id: KCHRISTE Subject: BASIS OF SPLIT DONE ON 8-19-92

THE ORIGINAL CLAIM WAS SPLIT INTO PARTS A FOR 3/15THS OF THE FOUND P/U FOR CHRISTOPHER JAMES TRUST AND THIS PORTION FOR 12/15 FOR FIRSTFRUITS FOUNDATION. SPLIT BASED UPON A CONVERSATION WITH CHRISTOPHER JAMES ON 8-15-94. KKC

+ - - Audit Fields - - +

08/24/94 KCHRISTE

+ Adjudication Rights Dates and Flags Area +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/24/1994	Old Judicial District	-
Claim Received Date	- 07/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 72B
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

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NOV 01 1994

SPLIT RIGHT ANALYSIS & RECOMMENDATION

POOR ORIGINAL

A72-04174 .50CFS For 15 Acres
.02CFS For Stock

A72-04174A
CHRISTOPHER JAMES (OWNER)

Recommended P/U 13N 18E Sec 2 NW 1/4 2A { NO OVERLAP WITH G.C. CLAIMS
SW 1/4 1A
Total 3A.

PROPORTIONATE DIV. RATE

$\frac{3}{15} \times .50CFS = \underline{0.10CFS}$ for irrigation

livestock use split 50/50

$.02 \times .5 = \underline{0.01CFS}$

Required Remarks:

F05; 72-04174B is also diverted through P/D described above

A72-04174B
FIRST FRUITS FOUNDATION

Recommended P/U 13N 18E Sec 2

NW 1/4 1A { overlaps w G.C. claims
NE NW 1/4 1A { overlaps with 8' acres of G.C. claims

Proportional Div. Rate.

$\frac{12}{15} \times .50CFS = \underline{.40CFS}$ for irrigation

livestock use split 50/50

$.02 \times .5 = \underline{0.01CFS}$

REQUIRED REMARKS:

F05; 72-04174A is also diverted through P/D described above.

E12; modified to identify 16 Acres & 40 AF cons. use limit with rights 72-00106G, 72-00109G & 72-04174B

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20'

13

POOR ORIGINAL

15

17' 30"

DEEDED TO
FIRST FRUITS FOUNDATION

BOTH SOURCES

PORTION
OVERLAP

11A FROM
UNNAMED
STREAM

RETAINED BY
CHRISTOPHER JAMES

P/11 FOR
1172-04174

UNNAMED STREAM
SOURCE

2A

1A

9A

7A

8A FROM GARDEN CREEK
COMPLETE OVERLAP
WITH UNNAMED
STREAM

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Till notes
8-15-94
KKC

@ Christopher Jamoushouse.

Discussed how the split was based.
the Trust was gifted Tot 2, 3 of Sec 2
the initial estimate was based upon owned
acres not irrigated acres. Actual split of
the irrigated ground is split:

Gifted P/4	Retained P/4
2 A	4
9 A	0
6.5 A	$\frac{1}{2}$
17.5 A in P/4	9
	13 $\frac{1}{2}$ in P/4

MICROFILMED
NOV 01 1994